(3) Single Bench

IN THE HIGH COURT OF JUDICATURE CHHATTISGARH AT

BILASPUR

CIVIL REVISION NO. 142 / 2006

APPLICANT : Smt. Ramsheela Bai ,
(CLAIMANT) W/O Johat Ram Sahu
Aged about 40 years,
R/O Vill. Bhendri P.S.Magarload
Distt. Dhamtari (C.G.)

Versus

RESPONDENTS : 1.Joginder Singh
S/o Jaswant Singh Biral 21 yrs.
C/O Dynamic Engineer
Mukut Nagar P.S. Ajad Chowk
Raipur (C.G.)
2. Dynamic Engineer,
Mukut Nagar P.S.Ajad Chowk
Raipur (C.G.)
3. Divisional Manager
The New India Insurance Co. Ltd.
Divisinal Office Raipur
Through: Branch Office No. 1
The New India Insurance Co. Ltd.
R.D.A. Building G.E.Road
Teh.& Distt. Raipur (C.G.)

P.R. No. 3038/06 Presented by Shri Prafull Bharat dated 6/11/06

CIVIL REVISION U/S 115 OF THE CIVIL PROCEDURE CODE

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

(13)

मामला क्रमांक ..C.R...142/06 **सन् 200**

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	17-01-2007 Applicant-Smt. Ramsheela Bai is present with Shri Prafulla N. Bharat, counsel. Heard. Brief facts are that the applicant herein had filed Claim Petition before the II[nd] Additional District Judge, Raipur in Claim Case No. 164/2001 in which an amount of compensation of Rs. 1,05,000/- was awarded. An amount of compensation of Rs. 35,000/- was paid to the applicant and remaining amount of Rs. 70,000/- was deposited in a Nationalized Bank as fixed deposit. The applicant preferred Miscellaneous Appeal for enhancement of compensation in the High Court. During the pendency of the appeal, the matter was compromised in Lok-Adalat wherein in addition to the amount already awarded by the Tribunal an amount of Rs. 1,75,000/- was awarded as compensation. The said amount has also been deposited by the Insurance Company. However vide the impugned order dated 26-07-2006 learned III[rd] Additional Motor Accident Claims Tribunal, Raipur has directed that out of this amount of Rs.1,75,000/-, a sum of Rs. 1,00,000/- shall be deposited for a period of ten years in a Nationalized Bank as fixed deposit and the remainder Rs.75,000/- was received by the applicant from the Bank in cash. Shri Prafulla N. Bharat, learned counsel for the appellant submits that since a compromise was arrived between the parties in Lok-Adalat the entire amount of Rs.1,75,000/- ought to have been paid to the applicant in cash. The applicant who is present in the Court also submits that she is in dire need of the amount for repayment of loan as also for construction of her house.	

XI-HC-78

उच्च न्यायालय, छत्तीसगढ़, बिलासपुर

मामला क्रमांक ..... सन् 200

आदेश पत्रक (पूर्वानुबद्ध)

आदेश का दिनांक तथा आदेश क्रमांक	हस्ताक्षर सहित आदेश -2-	कार्यालयीन मामलों में डिप्टी रजिस्ट्रार के अन्तिम आदेश
	In view of the submission made above, this Civil Revision is allowed. The order passed by the learned M.A.C.T. is modified. The learned M.A.C.T. is directed to disburse the amount of Rs.1,75,000/- to the applicant in cash. Certified copy as per rules.	**Sd/-** **Dilip Raosaheb Deshmukh** **Judge**

Kamble